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October 20, 2023

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning Saudi Arabia’s Renewed Motion To Dismiss, which was filed on October 6, 2023. *See* ECF No. 9368. Saudi Arabia recently discovered that two exhibits to the supporting Declaration of Gregory G. Rapawy, which was filed under seal on the same date, *see* ECF No. 9370, were filed out of order. Specifically, the document filed as Exhibit 10 at ECF No. 9370-10 should have been filed as Exhibit 19, and the document filed as Exhibit 19 at ECF No. 9370-19 should have been filed as Exhibit 10. The slipsheets for the documents, which show their exhibit numbers, are correct; the only error was in the filing on the ECF system.

We have contacted the Court’s ECF Help Desk and been informed that the Clerk’s Office can switch the two exhibits on the docket with the Court’s authorization. Therefore, Saudi Arabia respectfully requests that the Court authorize the Clerk’s Office to replace the document currently filed at ECF No. 9370-10 with the document currently filed at ECF No. 9370-19, and to replace the document currently filed at ECF No. 9370-19 with the document currently filed at ECF No. 9370-10.

We are directing this request to your Honor based on Judge Daniels’ guidance that your Honor will address “[a]ny further applications with regard to the parties’ submissions.” ECF No. 8896, at 2. Plaintiffs do not oppose this request.

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The Honorable Sarah Netburn
October 20, 2023
Page 2

Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: The Honorable George B. Daniels (via ECF)
All MDL Counsel of Record (via ECF)